

Application Serial No.: 10/655,143
Reply to Office Action of January 10, 2008

Atty. Dkt. No.
UCP-375

REMARKS/ARGUMENTS

Favorable consideration of the above claims is respectfully requested.

Claims 27-33 were pending prior to this amendment. In the present amendment, Applicants have amended independent claim 27 to incorporate the specific living cells that are being treated in the present invention, amended dependent claims 29, 32, 33 and canceled claims 30 and 31. Specially engineered non-agglomerated particles of cerium oxide enhance the longevity and increase the survivability of living brain cells by acting as a regenerative free radical scavenger that are in contact with living brain cells in the body and are biologically available for multiple rounds of free-radical scavenging. Support for the amendments to Claim 27 wherein brain cells are specifically identified is found in the specification on page 5, lines 2-23; the paragraph bridging pages 7-8; original claim 28, now canceled because it is incorporated into the independent claim 27; Figure 1 and Figure 4.

No new matter is added by the amendments identified above. The amendment is also made in response to an election/restriction requirement requested by the Examiner on page 2 of an Office Communication mailed January 10, 2008 under the heading "Election/ Restrictions."

The Examiner states that "Claims 27, 32 and 33 are generic to the following disclosed patentably distinct species: living biological cells in the body. The species are independent or distinct because they can be classified in different subclasses and would require a burdensome search. Applicant is required under 35 USC § 121 to elect a single disclosed species, even though this requirement is traversed."

Applicants have elected, with traverse, "brain cells" as a single disclosed species, and have amended the claims accordingly; Applicants reserve the right to file a divisional

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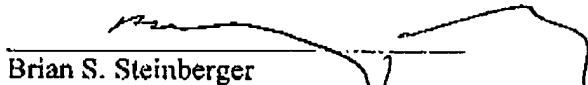
application directed to the non-elected species of biological living cells. Again, no new matter is added by the amendment.

Amended claims 27, 29, 32 and 33 are now pending. The application and claims are believed in condition for allowance in view of the amendments and arguments; allowance is respectfully requested.

If the Examiner believes that an interview would be helpful, the Examiner is requested to contact the attorney at the below listed number.

Respectfully submitted,

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